

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON

DEBORAH A. BROWN,

Plaintiff,

:

Case No. 3:05cv182

-vs-

Chief Magistrate Judge Michael R. Merz

:

ROBERT SUVER, et al.,

Defendants.

---

---

**ORDER GRANTING MOTION TO REMAND**

---

---

This case is before the Court on Plaintiff's Motion to Remand (Doc. No. 19). As Plaintiff correctly points out, all of the claims for relief which formed the basis for removal of this case from the Common Pleas Court have now been dismissed; the Court has subject matter jurisdiction over the remaining claims only pursuant to 28 U.S.C. §1367.

Generally, if federal claims are dismissed before trial, the state claims should be dismissed as well. *Landefeld v. Marion General Hospital, Inc.*, 994 F. 2d 1178, 1182 (6th Cir. 1993); *Taylor v. First of America Bank-Wayne*, 973 F. 2d 1284 (6th Cir. 1992); *Wolotsky v. Huhn*, 960 F. 2d 1331, 1338 (6th Cir. 1992). Here there is no need to dismiss the state law claims since the case can be preserved by remand.

Accordingly, the Motion to Remand is GRANTED and this case is REMANDED to the Clark County Common Pleas Court.

February 2, 2006.

s/ **Michael R. Merz**  
Chief United States Magistrate Judge